THE PRESIDENT'S LETTER. THE WHITE HOUSE, WASHINGTON, Feb. 10.

"MY DEAR SENATOR CULLOM: "I learn that the Senate Committee on Foreign Relations has reported the arbitration treatles to the Senate, amending them by substituting for the word 'agreement' in the second article the word 'treaty.' The effect of the amendment is to make it no longer possible, as between its contractspecial treaty to cover the case. This with Mexico, and submit to arbitration such subordinate matters as by treaty the Serate had decided could be left to the Executive to submit under a jurisdiction limited by the general treaty of arbitration If the respect word 'treaty' be substituted, the result is that every such agreement must be submitted to the same; and these general arbitration treaties will then cease to be such and attitude on a question of such importance, indeed in their amended form they amount to a specific pronouncement against the of the President, but he believed the Senate

right to reject or to amend in any way it | the adoption of the committee amendment sees fit any treaty laid before it, and it is Mr. Lodge argued that this action was not clearly the duty of the Senate to take any in any sense a criticism of the President, step which, in the exercise of its best judg- but a proper precaution, to be observed ment, it deems to be for the interest of the | without regard to the personality of the nation. If, however, in the judgment of occupant of the White House. the President, a given amendment nullifies a proposed treaty, it seems to me that it endeavoring to secure a ratification by the other contracting Power or Powers of the amended treaty; and after much thought I have come to the conclusion that I ought to write and tell you that such is my judgment in this case.

"As amended we would have a treaty of but recite that this Government will, when it deems it wise hereafter, enter into treaties of arbitration. Inasmuch as we of course now have the power to enter into any treaties of arbitration, and inasmuch as to pass these amended treaties does not in the smallest degree facilitate settlement by arbitration, to make them would in no way further the cause of international peace. It would not, in my judgment, be wise or expedient to try to secure the assent of the other contracting Powers to the amended treaties, for even if such agent were secured we should still remain precisely where we were before, save where the situation may be changed a little for the worse. There would not even be the slight benefit that might obtain from the more general statement that we intend hereafter, when we can come to an agreement with foreign Powers as to what spall be submitted, to enter into arbitration treaties, for we have already, when we ratified the Hague treaty with the various signatory Powers, solemnly declared such to be our intention, and nothing is gained by reiterating our adherence to the principle while refusing to provide any means of making our intention effective. In the amended form the treaties contain nothing except such expression of barren intention and, indeed, as compared with what has already been provided for in the Hague arbitration treaty, they proba-bly represent not a step forward but a slight the Hague arbitration treaty, they probably represent not a step forward but a slight get back ward as regards the question of international arbitration. As such I do not think that they should receive the sanction of this Government. Personally it is not my opinion that this Government lacks the power to enter into general treaties of arbitration, but if I am in error, and this Government has no power to enter into such general through without amendment had no weight so far as he was concerned.

Mr. Telier expressed similar opinions in his own way. He again referred to the recent course of affairs in Santo Domingo and while disclaiming any desire to prejucice the action of the President, was forced to believe that an attempt had been made and had not yet been abandoned, to carry into effect a "special agreement" of the most far reaching consequence without consulting the other branch of the treaty has no power to enter into such general treaties, then it seems to me that it is better am rather than

whatever when made. Sincerely yours, "THEODORE ROOSEVELT. THE LETTER DISCUSSED.

to make the attempt in such shape that

they shall accomplish literally nothing

Immediately a discussion arose on the letter. Mr. Morgan, who had intended to make a speech in opposition to the ratification of the treaties, whether amended or not, seized upon the President's letter as another example of executive interference with the prerogatives of the Senate.

He insisted that the President had no more right to interfere with the Senate when considering the ratification of treaties than the Senate had to interfere with the negotiation of treaties. He recognized that it was the duty of the President to negotiate treaties, and insisted that it was equally the duty of the Senate to consider and, if desirable, to amend them.

Mr. Spooner spoke in the same vein. He denied that the ratification of the treaties. as amended, would be a step backward, as stated by the President. It would, said Mr. Spooner, be a distinct step forward, as it would definitely pledge this Government to submit to arbitration "differences which may arise of a legal nature, or relating to the interpretation of treaties.'

Mr. Spooner waived aside the statement by Mr. Morgan that the President's lette was evidence of a desire to interfere with the prerogative of the Senate. The Senate, he said, could look out for itself. It was charged by the Constitution with the duty of advising and consenting to treaties, which included the power to amend or reject them. He urged the Senate to support unanimously the amendment of the Committee on Foreign Relations, substituting the word "treaty" for "agreement," so that any arbitration arrangements hereafter made shall be subjected to the scrutiny and approval of the Senate.

THE PIOUS FUND PRECEDENT. Mr. Speener referred to that portion of the President's letter giving the Pious Fund arbitration protocol as a precedent for independent action by the Executive in supmitting differences with foreign governments to arbitration. Mr. Spooner insisted that the Pious Fund protocol should have been submitted to the Senate for its advice and consent, as it was unquestionably a treaty binding upon the people and Government of the United States.

The mere designation of the pact as a "protocol" did not change its character. Even although the Hague convention prowided for the submission of differences to arbitration and the United States had become a party to that convention he believed that every treaty submitting any particular question to arbitration should first receive the concurrence of the Senate.

Mr. Spooner disclaimed any desire to criticise President Roosevelt for his insistence upon the power to make and execute "special agreements." He said be had the highest regard for the President and regarded him as as nearly infallible as any other man. But it was possible that the Presidency might be filled by a man more fallible, in which case it would be unfortunate for the United States that he should possess the power to bind the people and Government to the arbitration of a question that might affect the honor, the wital interests or the independence of the

pressing the highest regard for President Senate had no right or power to delegate its functions to the executive, and that it should stand up firmly for its rights as part of the treaty making power. No arrangement of any kind, under any name or guise, which would bind this people and Government to submit a question to arbitration, should be entered into without the advice and consent of the Senate.

LODGE STANDS BY THE SENATE. ing parties, to submit any matter whatever | Great interest was manifested by Senators to arbitration without first obtaining a in the remarks of Mr. Lodge, who spoke next. He said his conscience compelled will represent not a step forward, but a him to support the amendment made by step backward. If the word 'agreement' the Committee on Foreign Relations, prowere retained it would be possible for viding that the Senate should pass upon all the Department of State to do as, for inspecial arbitration treaties. The Senate's stance it has already done under the Hague power to amend treatles, unhampered ficaty in the Picus Fund arbitration case by the interference of the executive or any other department of the Government, was part of the very structure of the Gov-

ernment, and in his opinion the Senate would continue to exercise its power in that Mr. Lodge said that his close personal relations with the President made it difficult for him to take a directly contrary which might be construed into a criticism le principle of a general arbitration was right in insisting upon its power to pass upon engagements of any kind with "The Senate, has of course, the absolute foreign governments. He therefore urged

SECRETARY HAY CRITICISED.

When the Senate again took up the is no less clearly his duty to refrain from treaties at 4:30 o'clock a discussion arose regarding the publication of the treaties before they had been submitted to the Senate. Messrs. Spooner, Lodge, Hale and Foraker criticised this action on the part of the State Department and declared that a proper sense of propriety would have caused the Executive to keep arbitration which in effect will do nothing the seal of secrecy upon the proposed treaties until the Senate could have passed upon them. These Senators argued that the treaties, so called, were in no sense treaties merely because negotiated and signed and that the State Departmen had no right to take it for granted tha

they would be ratified exactly as prepared. Mr. Spooner again spoke of his high personal regard for President Roosevelt and wished his colleagues to understand that his position was not one of criticism of the President. He could not, however, consent to a treaty which would permit the President of the United States, whoever he might be, to be the sole judge of the questions to be submitted to arbitration. The matters to be submitted, being differences of a legal nature or relating to the interpretation of treaties, might, as a matter of fact, vitally affect the honor, interests or independence of the United States, though not appearing to be such to the President. Mr. Spooner reiterated his position that the Senate could not, if it would, transfer its treaty making power

PRESIDENT'S LETTER OF NO IMPORTANCE. Mr. Hale spoke on the same lines. His language was very pointed. He attached no importance whatever to the President's letter so far as it affected the conscience of Senators. They were there, he said, to consider those treaties, under their oaths to support the Constitution, and the mere desire of the President to push the treaties through without amendment had no weight so far as he was concerned.

making power. Mr. Teller urged his col-leagues to insist upon the inser ion in the arbitration treaties the word "treaty," so that the Senate shall share in the consideration of any questions proposed to be submitted to arbitration.

MR. LODGE GRIEVED TO OPPOSE PRESIDENT. Mr. Lodge assured his colleagues in the chamber that it grieved him to take a stand Mr. Lodge assured his colleagues in the chamber that it grieved him to take a stand in opposition to the President, who was his personal and political friend. But, he added, he had studied the question for weeks as a member of the Committee on Foreign Relations, and had reached the firm conviction that the Senate should insist conviction that the Senate should insist upon sharing the making of all arbitration treaties. He could not, under his oath to support the Constitution, vote to allow the Executive alone to make "procedures." Executive alone to make "special agreements" with foreign governments.

When Mr. Platt counselled delay, and argued that Senators upon reflection might reach the conclusion that the words "special agreement" were not objectionable, a coleague produced the record of the vote on the Isthmian Canal treaty which was ejected by Great Britain on account of the amendments made by the Senate. the nature of those proposed to-day and hat Mr. Flatt had voted for them. The remarks of Mossrs. Fairbanks. Dolli-

ver. Nelson, Hopkins and Stewart were to the effect that the President would not make treaties without submitting them to the Senate and that the "special agreements" provided for by the pending treaties covered only minor matters which had

# Long Short

Only Scotch Whisky Sold in the

> United States Which is Supplied by

Special Warrant

of Appointment to the

## House of Lords

Certificate For Year 1904-5.

I hereby Certify that James Munro & Son, Limited, Dalwhinnie Distillery, Strathspey, N. B., are hereby authorized Purveyors of Scotch Whisky to the House of Lords, and no Whisky is the Genuine Scotch Whisky as Supplied to the House of Lords unless it bears on each bottle this Certificate.

William Caston

REFRESHMENT DEPT.

At C'ubs, Ca'es, Ho'els and o' Dea' rs Mr. Foraker joined Mr. Spooner in ex- The Cook & Bernheimer Co., Soie Distributors.

### ROUND-UP AFTER GUN PLAY.

MODEST MARTY LEWIS SHOT IN A THIEVES' QUARREL.

That Was on Tuesday, and Posing as a Pittsburg Capitalist He Wanted It Kept Out of the Papers-Seven Crooks Arrested at His Rooms the Next Friday.

MAUSER MFG. CO.

Gold & Silversmiths

SMART FAVORS

St. Valentine's Day.

Very Chic.

Heart Jewel Boxes, from \$8 to \$60

Photograph Frames, from \$2.50 to \$40

Watteau Baskets, - - \$10

Rich Cut Glass.

Flower Baskets, were \$15, now \$13.50

London Compote, " 6, " 4.25 3 pt. Claret Jugs, " 9, " 7.50

Fifth Ave. at 31st St., N. Y.

WHAT WILL THE PRESIDENT DO?

ABBITRATION CONVENTION WITH JAPAN

sented to the Senate for ratification.

Secretary Hay and Minister Takahira,

SENATE CRITICISED.

Treaty Making, Europe Says.

Special Cable Despatch to THE SUN.

tion treaties causes some drastic comment

in the English and Con inental press. Every

critic condemns the present situation as

absurd and impracticable. The Spectator

is too great or too little. It should either be

deprived of the power of veto in the matter

of treaties or else be regarded as the treaty

making power, with whom Ambassadors

with the Executive if they are to be im-

a business house conducted on similar

CHINESE LAD OVERSTUDIED.

Princeton Senior and Intended Missionary

Taken to Bellevue.

son of a prosperous Chinese of Canton,

went violently insane yesterday afternoon

at the Chinese Mission House at 28 West

Ninth street and tried to kill a young China-

Dong is 22 years old. He came to this

country nine years ago to fit himself to become the head of a mission which his father, Dong Wah, one of the richest mer-chants of Canton and a Christian, has

The Rev. Huy Kin, head of the mission

On Tuesday, when he took a fourth examination, his professors noticed that he was acting queerly and was writing all

was acting queerly and was writing all sorts of impossible answers on his papers. They sent him to New York and told him to take rest. He went to the mission house, where he frightened Huy Kin and others by his conduct.

JAPS GIVE A BENEFIT

For Families of Men Fighting Russia-The

A benefit entertainment for the families

of Japanese soldiers and sailors was given

by the Columbia Club of Japanese students.

in the Y. M.C.A. hall at 215 West Twenty-third street, last night. The hall was

crowded.

An address was delivered by Mrs. K.

Imanishi in which she said:

"It is Japan's women who inculcate the love of country and sense of duty in her men when they are boys. It is the mothers

who teach them the maxims of honor and

the Jape in the audience sang their nationa

air and ended with loud cheers of "Banzail"

John Decker, Lest Boy, Turns Up.

John Decker, the nine-year-old Hoboken

boy who disappeared from his home at 216

Willow avenue on Wednesday, and whose mother thought he had been kidnapped, has been found. His uncle, William Stin-

son, caught him yesterday in the company of two small boy coal pickers at First and Adams streets. He had a bag of coal on

his shoulder and said he and his companions

had slept in a hallway.

Japanese Woman.

with flying colors.

mediately vetced by the Senate. Imagine

"The power of the Senate in foreign affairs

sums up the criticisms by saying:

After adjournment a number of Senators

A gun fight-three thieves quarrelling over a woman -in the Tenderloin last Tuesday night resulted on Friday night in the arrest of four men and three woman, a gang of the slickest pickpockets and shoplifters, Central Office men say, that have been corralled in many a day. Photographs of five of the gang are in the rogues' gallery, and several cities want them.

Late on Tuesday night Policeman Dillon

of the West Twentieth street station heard the barking of revolvers when he was near Seventh avenue and Twenty-second street and ran out of his precinct to Sixth avenue and Twenty-fourth street. There he saw men and women running in all directions and a man lying under the elevated structure groaning. A revolver was by his side. Heads were sticking out of saloon doors and from second story windows, but nobody came forward to explain.

The man was badly hurt. There was a bullet hole in his right side and another in his hip. He was unconscious and looked as if he were dying, and an ambulance took

him to the New York Hospital. Dillon found out later that three men had been coming down Sixth avenue about midnight with a blonde whom the Ten-derloin knows familiarly as "Cleo." Of a sudden a quarrel arose. The woman ran and the three fought it out. Besides the always been settled by the State Department man Dillon found shot, another was hurt, he was told, a crook and grafter known by several names, but commonly as Ed English. Friends of English carried him away before the policeman got there. Dillon was told by the night birds that a certain pickpocket and second story man did the shooting. This man has not been caught.

After adjournment a number of Senators were asked what they expected the President to do under the circumstances. They replied that, notwithstanding his intimation that the treaties would he held up, they believed he would accept the amendment as having been made in good faith and would exchange ratifications. They expressed the conviction that the President would come to the conclusion that the Senate had acted within its constitutional powers and that the purpose of the treaties was not by any means hampered by the requirement that special treaties shall be made in each case of arbitration.

One or two Senators added that if the President should now refuse to exchange ratification of the treaties the relations between the Executive and the Senate would become strained, for the reason that such action would be regarded as a petulant and unwarranted attempt to thwart the Senate in its participation in the treaty-making power. At the hospital the man Dillon found revived and told the doctors he was William Martin of Pittsburg, and had large business interests in that town. He had been seeing this town on Tuesday night, he explained, and had gone, among other places, to the Haymarket. There he had shown a roll of bills, and when he left he was followed. At Twenty-fourth street and Sixth avenue, when he was on his way to his rooms at 226 West Twenty-fifth street, he was attacked suddenly by two men, who demanded his money. Martin said he hit one of them in the mouth and struck the other with his cane. Then he was shot. He would not like the newspapers to get hold of the matter, he said.

making power.

Under all of to-day's debate, unmistakably, was the current of disquietude regarding the Santo Domingo situation. Several Senators who are usually extremely Martin was fashionably dressed. His guarded in their expressions, and whose opinions voice the prevailing sentiment of the Senate, declared their belief that the arbitration arrangement with Santo Domingo, whereby two ports are now occupied by the United States, was in fact a treaty, which had never been passed upon by the Senate and was therefore null and yeld. story was considered straight enough by the hospital people. But in the meantime the report of the shooting had reached Police Headquarters, and Detectives Peabody and Clark were sent around to the hospital to look Mr. Martin over and hear his story.

void.

They declined to express any opinion regarding the treaty which has recently been made with Santo Domingo, as they preferred to wait and inspect the document itself. But they intimated that before the Senate adjourned a demand would be forth-coming for complete information regarding the arrangement with Santo Domingo whereby agents of the United States were placed in charge of the customs receipts of Dominican ports and American ships of war were held in readiness to use force in holding those ports. They recognized Martin as Marty Lewis, expert pickpocket. They say that he denied his identity, turned his face to the wall and told them to go to the devil; but maybe they got something out of him.
On Friday Peabody and Clark watched he house at 226 West Twenty-fifth street, an apartment house called the Edwina. They saw several persons going in that it did them good to see. They waited until evening, when a number of persons they wanted were in the house and then they went in.

In a flat which Martin-or Lewis-had on the Japanese representative here, to-day signed an arbitration treaty. The treaty is similar to those signed by other countries and the United States, and will be prethe first floor they found four men and three women, whom they took to Police Headquarters and locked up for the night. The prisoners, the police say, are Far y Humphreys, alias Fanny Wilson, picapocket and shoplifter; John O'Keefe, George Has Too Much or Too Little Power in Hannon, known as Midget Foley; Edith LONDON, Feb. 11 .- The action of the American Senate on the pending arbitra-

Fanny Humphreys, the police say, is wanted in Monroe, Mich., for shoplifting and pocket picking. The authorities there have been notified. O'Keefe is wanted in the state of the say of the in Boston and Providence. All were re-

manded to the Tombs.

In Martin's rooms were found two sealskin sacques, a half dozen silk dresses, a lot of jewelry and other small articles. Martin was released from the hospital yesterday afternoon and promptly disap-

#### should deal directly and to whom they STEAMBOAT INSPECTION BILLS. should even be jointly accredited. It is useless to carry out delicate negotiations Provisions of the Seven Measures Passed by the House Yesterday.

WASHINGTON, Feb. 11 .- The seven steamboat inspection bills which the House passed to-day were all drawn for the purpose of preventing disasters such as the ourning of the General Slocum. One of them gives authority to local inspectors of hulls to inspect boilers also to determine if they are well made and appear calculated Dong Seung, a senior at Princeton and to meet the demands of the service for h they are to be used.

Another bill, in prescribing the qualifi-cations of inspectors of hulls, requires them to be men of experience in shipbuildthem to be men of experience in supporta-ing or navigation, so that they may render a reliable opinion as to the serviceableness of the boilers and machinery. It also amends the provision of the law requiring licensed officers to serve when called upon, unless they can show good reason for re-fusing, so that the certificate of an officer refusing may be suspended or revoked as the necessities of the case may demand. in West Ninth street, took charge of the boy when he arrived, taught him English and prepared him for Princeton. At college Dong Seung distinguished himself, the Rev. Huy Kin says. He was to graduate in May and had passed three examinations with fiving colors. As the law now stands revocation is the only

penalty,
Another bill prohibits the carrying of loose hay, kerosene or other inflammable material on vessels in the passenger trade. An exception is made in favor of kerosene that will not ignite under certain tests, where the passenger vessel is the only practicable means of getting it to the point. practicable means of getting it to the point where it is desired to send it. The most drastic provision in any of the bills is that which authorizes inspectors to tie up a ship that has not complied with the orders made by the inspectors. This provision was inserted to cover cases such as arose after the Slocum disaster, when the Grand Republic was known to be run-ning without proper fire protection. The inspectors could not prevent her leaving the dock except by resort to much red tape.

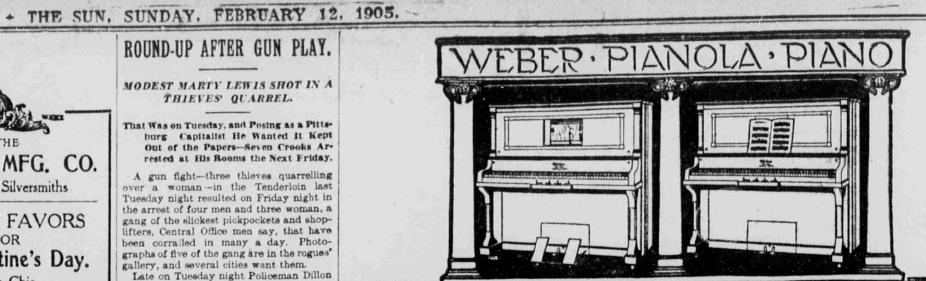
Brooklyn Bar Association to Have Its Own Home.

The Brooklyn Bar Association has decided to purchase a permanent home in the vicinity of the County Court House, each member subscribing \$250 for the purpose. It is probable that the fine law library now housed in the housed in the court House will be moved to the rooms of the association.

loyalty."

There were moving pictures showing battle scenes and the portraits of famous Japanese fighters. When the pictures of the Mikado and the flag were displayed, the sudjanes sang their national Made famous over fifty years ago-is still famous. The only dentifrice of International reputa-

3 Forms: Liquid, Powder & Paste



PLAYABLE by MUSIC ROLL or PLAYABLE from the KEY-BOARD

## The Piano that Anyone Can Play

THE PIANOLA PIANO is a combination of two instruments in one: 1st, an upright piano of the highest type; and, a complete Metrostyle Pianola. The keyboard is there for the use of those who have mastered technique. But for those who are unable to play by hand, the fingering is supplied by a perforated roll of music and the full expression devices of the Pianola are available. In other words, the Pianola has been built into the piano itself, so that the change from one method of playing to the other can be made instantaneously with nothing to move up in front of the key board.

Every person about to purchase a piano should ask himself or herself whether any piano is complete without a means of playing everything upon it. There is probably no other one thing in the world which any sensible person would be content to buy incomplete. No one would dream of buying a carriage without horses to draw it.

A piano nowadays requires a Pianola to make it complete. The Pianola may be purchased either in the form of a cabinet to move up in front of the keyboard of any piano; or, it may be purchased as an integral part of the piano itself. If you prefer the compact form of the Pianola Piano, your present piano will be taken in exchange at a fair

The prices of the Weber Pianola Piano are \$900 and \$1,000; the Aeolian Pianola Piano, \$750; the Wheelock Pianola Piano, \$650. A small size of the Aeolian Pianola Piano, suitable for yachts and small apartments, is also sold at \$500. Any of these instruments may be purchased on moderate monthly payments.

The AEOLIAN COMPANY, AEOLIAN HALL, 362 5th Ave.,

## CASINO GALLERY FIRESWEPT.

Continued from First Page.

and to much friction of language between the police and the chorus. But a majority of them came out just as well as did the young woman who reported to a seemingly interested person over a public telephone near the Casino:

"Get in?" she said. "Of course I got in. There were too many things to be done for me to be standing there in a common argument with any old policeman. I just told them that my hat was in there and I had to have it. And he says, 'Well, Madam. and I says. 'Don't you "Well madam!" me. and I went on in and got my hat. Of course I don't know what the new game will be, but I don't suppose there will be anything doing over Sunday, and I do hate to be embarrassed even for two days-Oh, thank you, Charlie, you're always so good to You can just send it up by a messen-No I didn't lose a thing, not even my

FIRE DROWNED OUT.

In an incredibly short time the fire ripped Steen, called in crookdom Edith Allen; Emma Ellis, alias Boston Tess and Tessie Hamilton; William Flimmon, called the Big Kid, and Robert Boyd, known as Slippery Bob.

Fanny Humphreys, the police say, is time than it takes to tell it. Great clouds of black smoke rolled out of the Moorish windows all around the Broadway and the Thirty-ninth street sides of the building. The firemen made their way into the theatre from the Thirty-ninth street side and up the fire escapes. Within forty minutes after the first alarm the fire was under

Chief Croker insisted that the Casino could not be "wet down" too thoroughly. If there was one thing he was surer of than another, it was that a fire once started there was not going to spread because he had neglected to throw on enough water.

At 1 o'clock the only disturbance in the

At 1 o'clock the only disturbance in the neighborhood was that made by the thousands of sightseers who tried to break through the police lines and by the hundred or more chorus girls and alleged chorus girls who were trying to get into the building. As soon as the rehearsal had been dismissed the asbestos curtain was rung down and therefore nothing behind the footlights was touched either by fire or water. Wherever the reporters were gathered together, however, there was not lacking a press agent with a bunch of bronze haired gigglers to tell how they had saved Miss Russell's costumes, which didn't need to be saved. didn't need to be saved.

didn't need to be saved.

The most interesting subject of discussion all about the theatre after the first flurry was over was the question of what would have happened had the fire started three hours later, when the auditorium was crowded with a matinée audience. Mr. King, the manager of the house for the Shuberts, stood out in the driving laby. Shuberts, stood out in the dripping lobby all the afternoon and assured everybody that the only damage upstairs was "caused by smoke." "Not a thing has been burned," he said over and over again. But he regretted greatly that owing to the orders of the Fire Department and the fire patrol and the relies he could not consent to let any police he could not consent to let anybody go into that part of the theatre where the fire occurred. HOW IT LOOKED INSIDE.

While he was busy telling this tale, one person at least got upstairs. He saw the first floor soaked with water, the chairs all first floor soaked with water, the chairs all covered with tarpaulin sheets. He saw the balcony likewise soaked. Above the balcony the gallery and the so-called buffet floor were burned to a crisp. The stairs were burned out and the small smoking and retiring rooms above the gallery floor were completely gutted. The man who had seen these things came down and found Mr. King still refusing to let anybody go upstairs and still refusing to admit that there had been any damage except that there had been any damage except that caused by "smoke caused by faulty insula-

"Was nothing burned upstairs?" asked the man who had been up. "Nothing to amount to anything," said Mr. King. "Just a little smoke, that was

Building Inspector O'Connor said after Building Inspector O'Connor said after the fire that it would be necessary, in view of the faults of construction which the fire had laid bare, to make the whole building over again. He didnot see how any performance could be given in the theatre in less than three weeks. He said that the fire, occurring as it did under the gallery and back of the balcony, might have entrapped almost every one on these floors. The natural course of people running from such a fire is to seek the stairways and the stairways were chimneys for the fire. The stairways were chimneys for the fire. The name of the ill fated Chicago Iroquois was on the lips of every one who got a good look at the inside of the theatre.

MISS RUSSELL GLAD AND SAD. Lillian Russell, who had not yet reached the theatre when the fire started, said yes-terday afternoon that she thanked God the flames had not been delayed for an

hour or two.

"We would all have been in our dressing rooms then," she said. "God knows what would have happened. The dear old Casino

had always been my mascot; it was almost as old as I was myself—and I can't help feeling badly to have it scarred and singed this way. I shall play an extra week so that those poor men and woman who have nothing but their salaries and their work, and who have not had my opportunities, shall lose nothing. I wish I could have been there to do what could be done. I am not afraid of fires. I think I proved that when our automobiles burned up at Far Rockaway a couple of years ago."

STATEMENT OF THE SHUBERTS. The Shuberts made the following state-

The Shuberts made the following statement yesterday afternoon:
"Owing to the fact that the Casino is now and has been since noon in the hands of the Fire Department, it is impossible to correctly approximate the damage done to the building or to the scenery and costumes used in 'Lady Teazle.' For the same reason, it cannot be said positively when the house will be reopened to the public. From what can be gathered of tively when the house will be reopened to the public. From what can be gathered of the damage done the production, it may be stated positive y that Lillian Russell will open her road season in 'Lady Teazle' at Troy, N. Y., on Feb. 20, and will then go to the Hollis Street Theatre. Boston.

"Both of these arrangements were made before the fire. Miss Russell will be likely to return to New York later in the present season. The Casino is the property of the Bixby estate, the representative of which will not be in town until Tuesday, and we shall then be better able to say what alterations will be made in the theatre

Lillian Russell and Jesse Lewisohn occu-pied a box at the Manhattan Theatre last The fire at the Casino has given

CASINO'S 23D YEAR.

Dates Back to the Age When Lillian Russell Was Singing for Col. McCaull.

The Casino stood to New Yorkers for omic opera, musical farce and the lighter forms of musical entertainment. Rudolph Aronson, who opened it on Dec. 28, 1882, never intended the building for anything more than concerts of light music. But Col. McCaull happened to be looking for a place in which to house his operetta company at that time, so the first performance in the Moorish playhouse was a Viennese operatta, and to that style of entertainment the building was dedicated, and there were only occasional lapses.

The McCaull company opened the theatre with "The Queen's Lace Handkerchief." and, although the first performance was not propitious, the operetta of Strauss was kept in the bill for nearly a year. The theatre was not nearly completed when it was opened. Canvas covered the open spaces in the walls and the damp plaster increased the bitter cold of the December night. Louise Paullin, Lily Post, Mathilde Cottrelly, then making her first appearance as an English speaking actress, and Signor Perugini, were among the singers. This performance was followed by the first English production of "The Beggar Student." with a cast including Fred Lesle William Carleton, Bertha Ricci and Mathilde Cottrelly

Cottrelly.

Francis Wilson joined the company to appear in "The Princiss of Trebizonde," and later in "Apajune," before his greatest success was made in "Erminie," which ran at the Casino for 1,256 performances. Pauline Hall, Marie Jansen, William Daboll and Jennie Wethersby were among his associates in this performance. "The Gypsy Baron," "The Merry War," "Amorita," "Nanon," "Nadjy," "Falka," "Die Fledermaus" and "Poor Jonathan" were some the works of the Viennese school, just then in its bloom, that Mr. Aronson produced. He and Col. McCaull soon quarrelled, and the warlike impresario of the South removed his company to Wallack's.

Occasional performances of operetta in Occasional performances of operetta in French were given at the Casino by Paola Marie, Aimé, Angele, Capoul and Mézières.

There were frequent revivials of Gilbert and Sullivan works, but only one, "The Yeoman of the Guard," had its first performance there. Lillian Russell returned from England twenty years ago after her elopement with Solomon from the Casino and "The Soroerer" to take the title rôle in

You probably know what common whiskey is like. Now try John Jameson's famous old IRISH WHISKEY and see how good pure whiskey really is.

It is the surest and easiest solution of the pure whiskey problem.

"Polly," which Solomon had written for her. Violet Cameron's unfortunate visit to this country carried her to the Casino and was of the few failures known in its early history. Offenbach was frequently represented on the billboard of the theatre, principally to exploit Lillian Russell, who won some of her first honors there in "The Grand Duchess," "The Brigands," in which she sang with Fanny Rice and Isabel Urquhart, and "La Belle Hé'ène."

The failure in the supply of good comic operas gradually had its effect on the prosperity of the house, which was last opened as a music hall under the control of Rudolph Aronson. This phase of the theatre's career was the least happy. By a final decision in the litigation which had involved the property for years the theatre passed out of the hands of the Aronson faction and new managers came into control. "In

and new managers came into control. "In Gay New York," "The Belle of New York," "The Lady Slavey" and other musical farces by Hugh Morton were, with the exception of "Florodora," the most successful performances given there in recent years. "Florodora" was to be revived there next week.

George Lederer, the Sire brothers and the Shuberts were successively managers of the theatre after Rudolph Aronson re-

SCORCHED FLATS.

#### Fire Started at Foot of Flevator Shaft -Commetten in West 38th Street.

Before the fire in the Casino was fairly out yesterday afternoon, there came an alarm from 254 West Thirty-eighth street There were just two engines available at the moment, though five or six more went over from the Casino later and tried to pump water through the half frozen hy-

The proceedings at the fire were more The proceedings at the fire were more interesting sociologically than as a study in fire extinguishing. With the first toot of the first engine, windows began to go up all over the block on both sides of the street. Gilt and raven hair, with a background of blue and pink wrappers appeared at every one. Dusky servant ladies loomed up behind. From all the windows at once came the chorus:

"Oh, aint it just terrible!"

'Oh, aint it just terrible!" Later masculine faces also appeared at the windows. They were greeted so heartily with jeers and more or less cruds sympathy that they did not stay long in sight.

The fire started in the basement at the bottom of the elevator shaft and was com-municated to almost every flat in the build-ing. Firemen Mulligan and Brooks of Engine 2 were knocked out by smoke and were dragged to places of safety by Chap-lain Walkley. They were attended by physicians from near by. Firemen O'Neill was hit on the head by the end of a brass nozzle and had to be carried to a drug store to be revived.

### MARRIED.

MINOTT-MICHLER .- At Florence, Italy, on Feb. 11. 1908, Frederick S. Minott of New York and Marion Lowry Michler, daughter of the late Col. Francis Michier, U. S. A., of Washington,

DIED.

ALLEN-LAVELLE .- On Thursday, Feb. 9, Nellie Allen Lavelle. Funeral, Sunday, Feb. 12, at 3 P. M., from the residence of her brother, Robert J. Allen, 96 Class st., borough of Brooklyn. Interment in Calvary

BOYNTON .- Jonathan Boynton in Atlantic City Feb. 10, aged 95 years.

Due notice of funeral will be given at the home of his daughter, Mrs. Dill.

FERGUSON.—At Tupper Lake, N. Y., on Thursday, Feb. 9, George W. Ferguson, son of the late George W. and Mary J. Ferguson.

Funeral services at the Church of the Holy Apostles, 28th st. and 9th ave., on Sunday, Feb. 12, at 1:30 P. M. Relatives and friends are invited to attend. Interment in Greenwood.

Cemetery at convenience of family. McCOY.—On Feb. 10, 1905, Edward Alexander McCoy, Infant son of Edward Alexander and Ada Cadmus McCoy of East Orange, N. J.

PORTER.—At Palm Beach, Fia., Feb. 8, 1908. Lillian Dean, wife of Alfred H. Porter, in the 36th year of her age.

Funeral services at her late residence, 116 East 88th st., New York, Sunday, Feb. 12, at 3 o'clock QUACKENBUSH .- Judge John Quackenbush, it Ridgewood, N. J., formerly of Mahwar, N. J.

on Friday, Feb. 10, 1908, age 77 years. Relatives and friends are invited to attack the funeral services Tuesday, Feb. 14, 1908, from the residence of his son-in-law, F. W. Gardner, 174 Chambers st., Eric R. R., and 12:25 o'clock trail family.

QUIRE.-On Friday, Feb. 10, 1906, Anna A. Quirk. Funeral from her late residence, 215 West 51st st., Feb. 12, at 2 P. M. Interment Calvary Ceme-

SCHENCK .- At Lenox, Mass., suddenly, on Feb. 8. 1905, J. Frederick Schenck. Services at Trinity Church, Lenox, Sunday

WINSLOW-At Cairo, Egypt, Edward Winslow, suddenly, on Saturday morning, eb. 11, 1909. Notice of funeral hereafter.